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Patent  
238/130

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Peng Cho Tang et al.

Serial No: 09/191,199

Filed: November 12, 1998

For: **3-HETEROARYLIDENEAZAINDOLIN-2-  
ONE TYROSINE KINASE INHIBITORS**



Group Art Unit: 1611

Examiner: Not assigned

**SUBMISSION OF MISSING PARTS AND RELATED APPLICATION PAPERS**

Box Missing Parts  
Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**I. DOCUMENTS ENCLOSED:**

In response to the **NOTICE TO FILE MISSING PARTS OF APPLICATION UNDER 37 CFR § 1.53(f)**, which was mailed by the Patent Office on December 17, 1998, enclosed are:


- ☒ Combined Declaration and Power of Attorney
- ☒ Assignment of the invention to SUGEN, INC. (together with PTO Form 1595)
- ☐ A Verified Statement to establish "Small Entity Status" under 37 CFR §§ 1.9 and 1.27.
- ☐ Statement under 37 CFR §1.821

**CERTIFICATE OF MAILING**  
(37 C.F.R. §1.8a)

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the United States Postal Service on the date shown below with sufficient postage as First Class Mail in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

February 17, 1999

Date of Deposit

  
Robert Wickman

- ☐ Sequence Listing with Diskette
- ☒ A copy of the Notice to File Missing Parts of Application under 37 CFR § 1.53(f).

## II. REQUEST FOR EXTENSION OF TIME:

The proceedings herein are for a patent application and the provisions of 37 CFR § 1.136 apply.

- ☐ Applicant(s) petitions for an extension of time under 37 CFR § 1.136 [fees: 37 CFR § 1.17(a)(1)-(5)] for the total number of months checked below:

EXTENSION (months)	FEE FOR SMALL ENTITY	FEE FOR OTHER THAN SMALL ENTITY
<input type="checkbox"/> one month	\$55.00	\$110.00
<input type="checkbox"/> two months	\$200.00	\$400.00
<input type="checkbox"/> three months	\$475.00	\$950.00
<input type="checkbox"/> four months	\$755.00	\$1,510.00
<input type="checkbox"/> five months	\$1,030.00	\$2,060.00

Fee

- ☒ If any extension fee is required, please consider this a petition therefor.

## III. FILING FEES

<b>BASIC FILING FEE:</b>						\$760.00
Total Claims	448	-	20	=	428	x \$18.00 \$7,704.00
Independent Claims	4	-	3	=	1	x \$78.00 \$78.00
Multiple Dependent Claims	\$260	(if applicable)				<input checked="" type="checkbox"/> \$260.00
Surcharge 37 CFR § 1.16(e)	\$130	(if applicable)				<input checked="" type="checkbox"/> \$130.00
<b>TOTAL OF ABOVE CALCULATIONS</b>						\$8,932.00
Reduction by ½ for Filing by Small Entity. Note 37 CFR §§ 1.9, 1.27, 1.28.						\$0.00
If applicable, Verified Statement must be attached.						<input type="checkbox"/>
Extension of Time (from above)						\$0.00
Assignment -- \$40 (if applicable)						<input checked="" type="checkbox"/> \$40.00
<b>TOTAL FEES SUBMITTED HERewith</b>						\$8,972.00


**IV. METHOD OF PAYMENT OF FEES:**

- ☒ A check in the amount of \$8,972.00 is enclosed to cover the above fee(s).
- ☐ Charge Deposit Account No. **12-2475** in the amount of .
- ☒ The Commissioner is authorized to charge Lyon & Lyon's Deposit Account No. **12-2475** for any fees required under 37 CFR §§ 1.16, 1.17 and 1.445 that are not covered, in whole or in part, by a check enclosed herewith and to credit any overpayments to said Deposit Account No. **12-2475**.

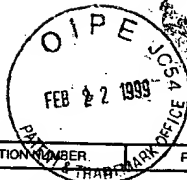
Respectfully submitted,

LYON & LYON LLP

Dated: February 17, 1999

By:   
Charles S. Berkman  
Reg. No. 38,077

633 West Fifth Street, Suite 4700  
Los Angeles, California 90071-2066  
(213) 955-0440  
(619) 552-8400



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
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09/19/1999 11/12/98 TANG

238/130

LYON & LYON  
633 WEST FIFTH STREET  
SUITE 4700  
LOS ANGELES CA 90071-2066

NOT ASSIGNED

DATE MAILED:

12/17/98

### NOTICE TO FILE MISSING PARTS OF APPLICATION

*Filing Date Granted*

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given **TWO MONTHS FROM THE DATE OF THIS NOTICE** within which to file all required items and pay fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the **SURCHARGE** set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 2776.

☒ 1. The statutory basic filing fee is:

- ☒ missing.
- ☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).

☒ 2. Additional claim fees of \$ 1888, including any multiple dependent claim fees, are required.

\$ 18 for 1 independent claims over 3.  
\$ 1348 for 86 dependent claims over 20.

\$ 260 for multiple dependent claim surcharge.

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

☒ 3. The oath or declaration:

- ☒ is missing or unexecuted.
- ☐ does not cover the newly submitted items.
- ☐ does not identify the application to which it applies.
- ☐ does not include the city and state or foreign country of applicant's residence.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the inventor(s), identifying this application by the above Application Number and Filing Date, is required.

☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

☐ 8. The application does not comply with the Sequence Rules.

See attached "Notice to Comply with Sequence Rules 37 CFR 1.821-1.825."

☐ 9. OTHER

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

**A copy of this notice MUST be returned with the reply.**

Customer Service Center  
Initial Patent Examination Division (703) 308-1202

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